IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7708 OF 2007

Shantinath Bharmu Magdum .. Petitioner

Versus

Ashok Baburao Mule & Ors. .. Respondents

Mr.G.M.Savagave for petitioner.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 17th December 2007

P.C.

. This is a petitioner under Article 227 challenging an order allowing amendment.

2. It is not as if the amended pleas being allowed to be incorporated that relief

automatically follows. The petitioner can always file additional written statement and point out that the pleas now sought to be incorporated have no substance and merit, more so, in the light of the findings earlier rendered by the Court. All such pleas including that on the basis of amended pleas and relief cannot be obtained because of bar of limitation are expressly kept open. The Amendment is subject to the same. Petition dismissed with the above clarification.

(S.C.Dharmadhikari, J)